

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

MELISSA KRISTEN MCFARLAND,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:24-00015-CV-RK
)	
BANK OF AMERICA,)	
)	
Defendant.)	

ORDER

Plaintiff Melissa Kristen McFarland filed this case in state court on August 29, 2023. (Doc. 1-1.) Defendant Bank of America removed the case to federal court based on federal question jurisdiction on January 8, 2024. (Doc. 1.) Defendant filed a motion to dismiss on January 16, 2024. (Doc. 10.) Plaintiff's response to Defendant's motion to dismiss was due on January 30, 2024. Plaintiff did not respond to Defendant's motion to dismiss. On February 1, 2024, the Court entered an Order that Plaintiff show cause on or before February 12, 2024, why Defendant's motion to dismiss (Doc. 10) should not be granted and Plaintiff's claims against Defendant should not be dismissed. The Court warned that Plaintiff's failure to show cause and to file a response to the motion to dismiss may result in dismissal without further notice. To date, Plaintiff has not complied with the Court's Order to Show Cause or responded to Defendant's motion to dismiss.

Accordingly, it is **ORDERED** that Plaintiff's claims against Defendant are **DISMISSED without prejudice** under Rule 41(b) for failure to prosecute. Defendant's motion to dismiss (Doc. 10) is therefore **DENIED AS MOOT**.

IT IS SO ORDERED.

s/ Roseann A. Ketchmark
ROSEANN A. KETCHMARK, JUDGE
UNITED STATES DISTRICT COURT

DATED: February 20, 2024